

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BLUEFIELD

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 1:20-00066

JEFFREY M. REED

MEMORANDUM OPINION AND ORDER

Pending before the court are: (1) defendant's motion in limine to exclude other bad acts evidence at trial; and (2) defendant's motion in limine to preclude the use of photographs of his residence at trial. (ECF Nos. 58-1 and 74). The court **GRANTS** the motion in limine asking the court to preclude the government from "introducing any testimony or other evidence pertaining to the specific amount of back income taxes and penalties owed by the defendant as well as any reference to the period of time in which the defendant has not paid any federal income taxes." The jury may be told that, in 2015, defendant owed a significant amount on his personal income taxes due to the IRS. In so doing, the court finds that the probative value of that evidence is substantially outweighed by the danger of unfair prejudice. The second motion in limine is **DENIED** as moot as the government has agreed that it will "not utilize photographs of Defendant's multiple signs that he hung indicating that he will shoot any and all trespassers." ECF No. 80 at 1-2. If the government believes that defendant opens the door to the

introduction of such evidence at trial, it should so inform the court.

The Clerk is directed to send a copy of this Memorandum Opinion to counsel of record and to the Probation Office of this court.

IT IS SO ORDERED this 23rd day of August, 2021.

ENTER:

David A. Faber

David A. Faber
Senior United States District Judge